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12 Attorneys for Plaintiff

13  
14 UNITED STATES DISTRICT COURT  
15  
16 NORTHERN DISTRICT OF CALIFORNIA  
17  
18 SAN JOSE DIVISION

19 UNITED STATES OF AMERICA,	20 )	21 CR 07-00788-LHK
22 Plaintiff,	23 )	24 STIPULATION AND <del>PROPOSED</del> ORDER
25 v.	26 )	27 SETTING BRIEFING SCHEDULE ON
28 RANDY GOLDBERG, et al.,	29 )	30 MOTION TO DISMISS INDICTMENT
31 Defendants.	32 )	33 SETTING DATE FOR MOTION HEARING

34 The United States, through its counsel Jeff Nedrow, and defendant Randy Goldberg,  
35 through his counsel Samuel J. Rabin, Jr., hereby agree and stipulate to the following briefing  
36 schedule with respect to defendant Goldberg's motion to dismiss the indictment. The reason for  
37 this schedule is that the United States needs approximately 30 days to respond to the motion to  
38 dismiss, as its response will require the ordering and review of numerous transcripts of prior  
39 status conferences in this case. Accordingly, the parties propose the following schedule:

40 The United States shall file its opposition by February 15, 2012.

41 Defendant shall a reply if he wishes to do so by February 29, 2012.

42 The parties shall submit the matter to the Court's discretion with respect to the scheduling

1 of a hearing.

2 It is so stipulated.

3 Respectfully submitted,

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5 MELINDA HAAG  
UNITED STATES ATTORNEY

6 January 17, 2012

7  
8 /s/  
9 JEFFREY D. NEDROW  
10 Assistant U.S. Attorney

11 January 17, 2012

12 /s/  
13 SAMUEL J. RABIN, JR.  
14 Attorney for Randy Goldberg

15 **ORDER**

16 Based on the stipulation of the parties and the facts set forth herein, and good cause  
17 appearing,

18 IT IS HEREBY ORDERED that the parties shall file their pleadings with respect to  
19 defendant Goldberg's motion to dismiss pursuant to the following briefing schedule:

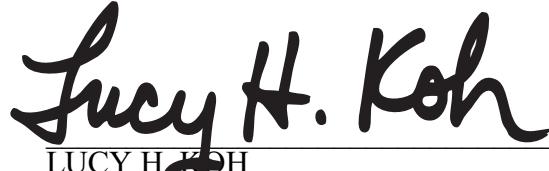
20 The United States shall file its opposition by February 15, 2012.

21 Defendant shall a reply if he wishes to do so by February 29, 2012.

22 ~~The Court will schedule further hearings as appropriate upon the submission of the~~  
23 ~~pleadings.~~ The hearing on this motion is hereby set for March 21, 2012  
24 at 10:00 a.m.

25 IT IS SO ORDERED.

26 Dated this 18<sup>th</sup> day of January, 2012.

27  
28   
LUCY H. KOH  
United States District Judge